

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GREGORY O. PAYTON, )  
Plaintiff, )  
v. ) 1:06CV388  
NORDSTROM, INC., )  
Defendant. )

**J-U-D-G-M-E-N-T**

On July 20, 2006, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS HEREBY ORDERED AND ADJUDGED** that Defendant's alternative motion to dismiss (docket no. 8) be **GRANTED**.

Brian J. O'Keefe  
United States District Judge

DATE: September 12, 2006